

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-vs-

MICHAEL SMITH,

Defendant.

15-CR-6136W

INFORMATION
(Felony)

Violation:
18 U.S.C. § 371

COUNT I

The United States Attorney Charges That:

1. Between on or about May 14, 2015 and on or about May 20, 2015, the exact dates being unknown, in the Western District of New York and elsewhere, the defendant, MICHAEL SMITH, did knowingly, willfully and unlawfully combine, conspire and agree with Virgilio Diaz and Eladio Deleon, to commit an offense against the United States, that is, with intent to defraud, to pass counterfeit obligations of the United States, that is, counterfeit one-hundred dollar Federal Reserve Notes, in violation of Title 18, United States Code, Section 472.

Overt Acts

2. In furtherance of the conspiracy and to effect the object thereof, the following overt acts were committed by the defendant and others:

- a. Between on or about May 14, 2015 and on or about May 20, 2015, the defendant MICHAEL SMITH, Virgilio Diaz and Eladio Deleon obtained counterfeit \$100 bills by paying \$40 in genuine U.S. funds for each counterfeit bill.



- b. On or about May 20, 2015, the defendant, MICHAEL SMITH drove Virgilio Diaz and Eladio Deleon to various stores including Lowes, Aldi's, Rite Aid, Jubilee, Pizza Hut, Burger King and Wal-Mart with the intent to pass counterfeit \$100 bills in the Western District of New York.
- c. On or about May 20, 2015, Virgilio Diaz and Eladio Deleon passed approximately \$1,100 in counterfeit bills at stores including Lowes, Aldi's, Rite Aid, Jubilee, Pizza Hut, Burger King and Wal-Mart in the Western District of New York.

All in violation of Title 18, United States Code, Section 371.

FORFEITURE ALLEGATION

The United States Attorney Charges That:

Upon conviction of the offense set forth in Count 1 of this Information, the defendant, MICHAEL SMITH, shall forfeit to the United States all counterfeits of any coins or obligations or other securities of the United States or of any foreign government, or any articles, devices, and other things made, possessed, or used in the commission of the offense, including, but not limited to:

- a. \$2,358 in United States Currency.

All pursuant to Title 18, United States Code, Section 982(a)(2)(B).

DATED: Rochester, New York, October ~~14~~⁹, 2015

WILLIAM J. HOCHUL, JR.
United States Attorney
Western District of New York

BY:



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